

1 HONORABLE RONALD B. LEIGHTON  
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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MARK WILLIAMS, as Personal  
Representative of the Estate of Shane P.  
Williams, and MARK WILLIAMS, a married  
as his separate

Plaintiff,

v.  
KITSAP COUNTY, a municipal corporation;  
BEN HERRIN and JANE DOE HERRIN,  
husband and wife, and the marital community  
comprised thereof; and PAUL WOODRUM  
and JANE DOE WOODRUM, husband and  
wife, and the marital community comprised  
thereof

Defendants.

Case No. CV 08-5430-RBL

ORDER ON DEFENDANTS' MOTION  
CHALLENGING EXPERT DEPOSITION  
FEE

THIS MATTER is before the court on the Defendants' challenge to the reasonableness of Plaintiff's expert's deposition fee. [Dkt. # 69].

At issue is the reasonableness of the \$2,000.00 flat fee charged by Mr. Van Blaricom for an approximately 90 minute deposition. Fed. R. Civ. P. 26(b)(4)(C)(ii) is silent as to what constitutes a reasonable fee. However, the Court has discretion to limit or alter discovery costs when they appear unreasonable. *Knight v. Kirby Inland Marine Inc.*, 482 F.3d 347, 356 (5th Cir. 2007) D.P. Van Blaricom's requested deposition fee of \$2,000.00 is unreasonable. The defendant shall pay two hours of Mr. Van Blaricom's time, or \$690.00, for the deposition.

1 Any amount paid above that amount shall be refunded to the Defendants.  
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IT IS SO ORDERED.

4 Dated this 29<sup>th</sup> day of June, 2009.

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6 RONALD B. LEIGHTON  
7 UNITED STATES DISTRICT JUDGE  
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